

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

CHARLES E. CUMMINGS

§

VS.

§

CIVIL ACTION NO. 1:16cv296

LARRY GIST STATE JAIL

§


ORDER ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Charles E. Cummings, proceeding *pro se*, filed the above-styled lawsuit. The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this lawsuit dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. No objections were filed to the Report and Recommendation.

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A final judgment shall be entered in accordance with the recommendation of the Magistrate Judge.

**SIGNED** this the **3** day of **November, 2016**.

  
Thad Heartfield  
United States District Judge